

**ENTERED**

March 31, 2023

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION

THE TEXAS GENERAL LAND OFFICE; §  
and GEORGE P. BUSH, in his official §  
capacity as Commissioner of the Texas §  
General Land Office, §

Plaintiffs, §

VS. §

JOSEPH R. BIDEN, in his official capacity §  
as President of the United States of §  
America; UNITED STATES §  
DEPARTMENT OF HOMELAND §  
SECURITY; and ALEJANDRO §  
MAYORKAS, in his official capacity as §  
Secretary of the United States Department §  
of Homeland Security, §

Defendants. §

CIVIL ACTION NO. 7:21-cv-00272

**ORDER**

The Court now considers the parties' Unopposed Joint Motion to Stay Summary Judgment Briefing Pending a Decision by the Fifth Circuit.<sup>1</sup>

This Court issued an order and opinion in these consolidated cases on August 3, 2022, dismissing Plaintiffs Texas and Missouri from the case and dismissing certain claims by Plaintiff GLO.<sup>2</sup> Texas and Missouri appealed that decision, and the Fifth Circuit heard oral arguments on December 6, 2022.<sup>3</sup> In light of the pending outcome of the appeal, the parties move to stay briefing

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<sup>1</sup> Dkt. No. 79.

<sup>2</sup> Dkt. No. 57.

<sup>3</sup> Case No. 22-40526 (5th Cir.).

on their motion and cross-motion for summary judgement, currently due April 14<sup>th</sup> and May 12<sup>th</sup>, respectively.<sup>4</sup>

The Court finds good cause in judicial efficiency and **GRANTS** the parties' motion. The deadlines for motions for summary judgment contained in the Court's scheduling order<sup>5</sup> are stayed, and the parties are **ORDERED** to submit a proposed schedule for further proceedings within 30 days of the issuance of the Fifth Circuit's decision.

IT IS SO ORDERED.

DONE at McAllen, Texas, this 31st day of March 2023.

A handwritten signature in black ink, appearing to read 'M. Alvarez', is written over a horizontal line.

Micaela Alvarez  
United States District Judge

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<sup>4</sup> Set at Dkt. No. 65.

<sup>5</sup> *Id.*